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## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carl Anderson, Ph. D. et al. Art Unit : 2873  
Serial No. : 10/646,858 Examiner : Unknown  
Filed : August 22, 2003 Conf. No. : 1524  
Title : METHOD AND APPARATUS FOR MEASURING AND COMPENSATING  
FOR SUBJECT MOTION DURING SCANNING

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO ACTION OF MAY 19, 2006

In reply to the Office Action of May 19, 2006, Applicant submits the following remarks.

Claims 1, 2, 4, 5, 9-19, 21-23, and 25-29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Evans, et al (US 6858003) in view of Cosman (US 6662036). Of these claims, claims 1, 14, 21, and 27 are independent. These claims relate to systems and methods for compensating for movement/motion of a subject by updating a scanning protocol. All these claims require that a scanning protocol be updated to compensate for movement/motion of the subject. Claim 1 recites "update the scanning protocol to compensate for movement of the subject"; claim 14 recites "updating the scanning protocol to compensate for motion of the subject"; claim 21 recites "update the scanning protocol to compensate for motion of the subject"; and claim 27 recites "update the magnetic resonance imaging protocol to compensate for movement of the subject."

Evans discloses a surgical system for performing cardiac surgery. The system in Evans is designed to keep the relative position of a surgical instrument generally constant with respect to

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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September 19, 2006

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